

Planning Board Minutes – February 15, 2018
Planning Board
Town of Riverhead
Suffolk County
Riverhead, New York

Minute summary of February 15, 2018 Town of Riverhead Planning Board meeting, held at the Town of Riverhead Town Hall, Riverhead, New York.

Chairman Stanley Carey called the meeting to order at 3:00 p.m.

PRESENT:

Stanley Carey, Chairman
George Nunnaro
Richard O'Dea

ALSO PRESENT:

Jefferson V. Murphree, AICP
Karin Gluth
Greg Bergman
Vincent Gaudiello, P.E.
Richard Ehlers, Esq.

3:00 PM MEETING

PLEDGE OF ALLEGIANCE

DISCUSSION ITEMS

1. Saber-Aldi's Expansion - Site Plan for an approximately 896 sq. ft. (12 ft. by 74.5 ft.) expansion along the rear portion of Aldi, which will allow refrigeration units to be shifted south, shifting south of the existing dumpster enclosure and three parking stalls shown at the rear of Aldi's as well as an exterior light fixture on the adjacent building, the relocation of roof drains to the new rear wall and reconnection underground to existing drainage structures, and revised plantings around the existing pylon sign at the entrance to the site at an existing shopping center on a 574,707 sq. ft. parcel zoned Business Center (BC) at 1757 Old Country Rd., Riverhead known as SCTM#: 600-119-1-23.3 (Karin Gluth).

Courtney Riley announced that Bruno Lourenco was not present yet; Mr. Carey announced the second item on the agenda and returned to Aldi when that discussion ended.

Bruno Lourenco was present, along with Courtney Riley, to represent Aldi. Ms. Gluth discussed her staff report and the plans. An 896 square foot addition is proposed in the rear of Aldi; the shopping center is in the Business Center zoning district. One of the conditions of approval is the increase of landscaping around the pylon sign to which Aldi agreed upon. The expansion will be twelve feet by 74.5 feet. The dumpster

enclosure will be moved south and the exterior light on the adjacent building will be moved to accommodate the addition. Drainage piping will also be moved in accordance with the changes, and there are also minor changes to the front facade. Aldi appeared at the Planning pre-submission meetings in January and this past Tuesday to discuss the changes and requirements. The need for agricultural preservation credits was addressed earlier, as the previous development required TDRs. This project requires 0.6 agricultural protection credits. Aldi is located east of Riverhead Raceway and north and west of Glenwood. To the north, there is a gas station, Maximum Motorsports and the Holiday Inn. There is a cross access between Maximum Motorsports and the Saber shopping center. SEQRA was a Type II action; therefore, there is no further environmental review required. According to code, the parking ratio has changed for retail uses, so there is less parking required now than previously. On the plans, there were some discrepancies with the square footage. There was also a change in the shopping center, dealt with as de minimis approval, which allowed for a nail salon and a Sabrosa restaurant replacing retail. Ms. Gluth stated that she visited the site and noted that there are parking stalls that were not shown in the summary chart on the plans. Additionally, some of the cart corrals are not shown, but the applicant intends to keep them. Ms. Gluth, referring to the plan, showed the board that there is not much room between the parking stalls and the truck loading dock; she suggested deleting those stalls as there is more than enough parking already. The plan also needed to be updated to correct the tax map number. Ms. Gluth noted that in the landscaped area, some existing conditions were not reflected on the plan, i.e. the fire hydrant, telephone pole, etc., but most of the comments are easily correctable. Ms. Gluth mentioned that the Architectural Review Board gave its final approval after reviewing the elevations, photos and samples. Their major concern was the matching of the new brick with the older, faded brick, but after review at the February 5th meeting, all match. Aldi will go back to the ARB on February 28th for approval of their directory sign. Ms. Gluth visited the site and noticed that one gate for Starbucks is broken and must be fixed. There are residential uses to the south and west of this shopping center, and Ms. Gluth checked with Code Enforcement to see if there were any noise complaints; there were not. Mr. Carey asked for clarification that the refrigeration that is being added is inside the building; it will be. Ms. Riley then presented images of what the property looks like in the rear while Ms. Gluth added that usual deliveries are from midnight to 5 a.m. She then asked the board if they want any provisions on delivery times, but there have been no noise complaints to date.

Mr. Lourenco added that their trucks are idle free; they come in from Connecticut and usually unload in Riverhead in about one hour. It is in and out. Mr. Carey asked if the original approval had any provisions about delivery times to which Ms. Gluth responded that there was no condition, only a note on the plan. Mr. Carey asked Mr. Lourenco for confirmation that there have been no complaints and that Aldi is not changing anything as far as delivery time or increased noise; there have been no complaints, and nothing is changing. Ms. Gluth informed the board that the supplemental guidelines encouraged cross access to the adjacent properties. She added that the lighting has been checked for compliance, and there are some fixtures that are non-compliant, for example the up-lighting and post-mounted fixtures at Buffalo Wild Wings, eleven fixtures on the rear of Christmas Tree Shop, and some lighting near Sabrosa; these are listed on page 8 of her staff report. There must be a condition that the lighting be brought up to compliance before receiving approval. Mr. Nunnaro asked that the owner be required to make the adjustments. Ms. Riley answered that she has been in touch with the shopping center owners; the owner will ensure the lighting is corrected. It was discussed that all lighting shall be updated prior to issuance of a certificate of occupancy but replacements for non-compliant lighting at Aldi doorways must be shown on the plan now. Ms. Gluth requested that all replaced LEDs be 3,000 Kelvin. As for the cross access, Ms. Gluth has not received the complete title yet. She did go through the file and noted that the original documentation

required that there be a future cross access agreement to Riverhead Raceway; however, the cross access agreement that was filed does not use typical language. Ms. Gluth stated that usually the Town does not require the applicant to be in agreement with the cross access; it is always left to the Planning Board's discretion. She then asked if the Planning Board would like a new cross access agreement that is in keeping with the usual language. Mr. Carey asked if it slipped through the cracks to which Ms. Gluth explained that the person who typically reviews the agreement had not done this one. Mr. Nunnaro asked if this is solely for the future; Ms. Gluth answered yes. She then noted that the conditions of approval for the shopping center were to include cross access for the Holiday Inn and Maximum Motorsports; there is a constructed cross access for Maximum Motorsports, but not for the Holiday Inn except for a pedestrian sidewalk. Ms. Gluth suggested a pedestrian cross access agreement; Mr. Carey agreed. Ms. Gluth added that there does not appear to be any agreement in place for the existing cross access for Maximum Motorsports; she recommended that it be formalized. Mr. Carey and Mr. O'Dea agreed. Mr. Carey confirmed that there should be an access by Riverhead Raceway and one by Maximum Motorsports; Ms. Gluth will make the agreements a condition of the certificate of occupancy. As far as the landscaping given a cursory review on Tuesday, the plantings have increased in size, and there is less reliance on grasses which are cut down in winter; it is an improvement. Ms. Gluth noted that there is a type of plant that resembled bamboo; though it is not bamboo, it is invasive and will spread. Ms. Riley stated that they did change that out. Ms. Gluth stated that once a resubmission is made, the landscaping will be reviewed further. She then informed the board that the Town Engineer is confused about the final location of roof drains. Ms. Riley explained that the existing drains off the back of the building will be tapped into existing drainage when the building is extended. Ms. Gluth reiterated that she does need an updated title report with covenants and that 0.6 agricultural credits are needed. She stated that 0.98 were purchased to which Ms. Riley stated they will give up the entire 0.98, as opposed to just the 0.6 credits. Ms. Gluth asked if the board would like to proceed with this as an administrative approval and if a public hearing is necessary. Mr. Carey stated that he believes a public hearing is important; if there is potential for someone to be in opposition, he believes they need the opportunity to speak to the board. He then asked if there had been any input from the Fire Marshal to which Ms. Gluth stated there was not; she will follow up with them. Mr. Lourenco added that the problems with the sprinklers had been corrected. Ms. Gluth will work on getting the public hearing scheduled.

2. Hubbard Farmstand – Discussion of a farm stand application which seeks to legalize a pre-existing farm stand and permit the continued use of selling agricultural goods at a roadside stand. The subject property is a 2.534 acre parcel located at 230 Meetinghouse Creek Road, Aquebogue, within the Residence B-80 (RB80) zoning use district, with said parcel being more particularly described as SCTM No. 600-86-2-18. (Greg Bergman).

This item was discussed prior to that of the Aldi Expansion project. Jason and Becky Hubbard were present to discuss their application. Mr. Bergman explained the location of the property and what the applicant is requesting. It is located on the east side of Meetinghouse Creek Road. SEQRA is determined to be Type II which requires no further environmental review. The applicant required a variance for the farm stand, which was granted via Appeal number 17-028. Some conditions of the variance included the applicant being required to provide a lease for the adjacent property to the east and also that firewood may be sold as 40% of the total farm stand's offerings. If the farm stand is not open and offering farm products, no firewood or any other product may be sold. The location is part of the New York State Ag and Markets district. It does receive agricultural exemptions. Mr. Bergman then presented photos of carts that will be used on the farm stand. He referred the application to the Highway Department because it is on a Town

road. Mr. Woodson, Highway Superintendent, reported that he would like to see a five-foot asphalt apron along the front of the farm stand to prevent gravel from entering the Town right-of-way. The Suffolk County Planning Commission declared this a matter for local determination, and the Agricultural Advisory Committee reviewed the application and is fully supportive of the Planning Board. Mr. Bergman added that the property is located within 300 feet from tidal wetlands and may require a permit or a letter of exemption. Mr. Hubbard stated that he is not putting bluestone down, and he spoke with Mr. Woodson. It was agreed that if bluestone is not used, there is no need for an asphalt apron. Mr. Bergman will follow up with the Highway Department to confirm this. Mr. Carey asked Mr. Hubbard to confirm what he sells to which he informed the board that he sells firewood, chickens, potatoes, local crops, etc. Mr. Carey asked if there have been any issues with neighbors to which Mr. Hubbard stated that they have none. When they appeared in front of the Zoning Board of Appeals, mailings went out and no neighbors were in opposition. Mr. Carey asked if a public hearing was anticipated; Mr. Bergman stated that he did not believe it was required by code. Mr. Ehlers added that a public hearing for this matter would be at the Planning Board's discretion. Mr. Carey asked Mr. Bergman to confirm with Mr. Woodson; the board will then go forward with the resolution.

3. sPower – Continued discussion on a revised site plan application to construct a 20 megawatt solar photovoltaic facility on an existing sod farm on parcels identified as SCTM Nos. 600-116-1-7.2 and 600-98-1-21.1 located within the Industrial C zoning use district, and construction of an underground electrical tie-in line in a 15 ft. easement on properties identified as SCTM Nos. 600-116-2-7.4 and 600-117-1-6 located in the Industrial C zoning use district, and on properties identified as SCTM Nos. 600-117-2-7.2, 600-117-2-8.2 and 600-137-1-32.1 located in the Industrial A zoning use district, and construction of an electrical voltage step-up facility at an existing solar photovoltaic facility located on a parcel identified as SCTM No. 600-137-1-32.1 located in the Industrial A zoning use district. (Greg Bergman).

Chris Kent and Courtney Riley were present to represent sPower. Mr. Bergman presented revised plans to the board, pursuant to subdivision approval form last year. One revision included the widening of the road from 50 to 55 feet. The layout of the facility has changed, and Middle Country Road is no longer the front street; Peconic Avenue will now be the front. The project was redesigned within required setbacks and still requires grading, drainage, and landscaping. Ms. Riley showed the board a color rendering of new layout, indicating that the landscaping originally presented has remained the same. She described how the plan follows along the EPCAL trail and has been modified to be within the setbacks. Mr. Bergman noted that the access road was redesigned to give fuller access for maintenance to the site. Mr. Carey asked if Peconic Avenue is a Town road. Mr. Kent replied that they have done much research and discovered it is not privately owned; ownership is undetermined. It seems to go back to a map filed in 1919. Mr. Kent reported that he had a conversation with Mason Haas who described it as an unimproved, unopened Town road. He added that a title examiner is researching the matter for sPower. If that is the case, they will add a requirement that there be an easement granted under Peconic Avenue for a gen-tie line; it will be similar to a quick, clean deed, but it would be an easement granting permission to go underneath the road. Mr. Carey stated that it sounds as if it is an abandoned Town road. Mr. Ehlers added that when aligning this project with Route 25, it is nonsensical to add a road along the side. By doing things this way, they can move it forward as a usable road. This does not seem to be part of adjoining parcels and does not seem to have a tax map number; additionally, the properties are bounded on each side. Ms. Riley stated that they use an existing pathway for construction purposes. Mr. Carey asked what the condition of the road currently is to which Mr. Kent stated that it is a farm road. He added that the only roads traveling north-south are Edwards Avenue and Wading River Manor Road; this farm road is a north-south road that runs

all the way to River Road, but it was never opened. However, if it was never considered a road, there would then be landlocked parcels. Mr. Carey asked if there was anything on the surveys regarding metes and bounds to which Mr. Kent answered that a national company is working on it. Mr. Carey questioned what the width of the access road is. Ms. Riley replied that the width is 50 feet. Mr. Bergman stated that there is the potential for dedication of 2.5 feet on either side. Mr. Kent added that the new standards of roads require a width of 55 feet; if this is opened as a new road and the Planning Board allows 2.5 feet of dedication, the road can be built to Town standards. Mr. Carey stated that he is fine with the dedication of 2.5 feet. Mr. Kent addressed another issue involving the gen-tie line crossing under Peconic Avenue; he stated that it is a quick easement from the Town; it then goes across two properties, including the Bolla property. He then noted an issue that arose last week from a DEC notice. The DEC has identified that some of the trees may only be cleared during a certain time of year. Ms. Riley added that the only time to clear is between November and March 31; she is therefore proposing clearing a 15 foot easement now. The easements are in place over Calverton Links and Bolla Market. She stated that the trees are on the property line. She and the board then discussed the paths while viewing the site plans. It was noted that from an aerial view, the area seems dense; however, on foot it is clear that the tree covering is not as dense. Mr. Carey asked how close they are to preliminary approval to which Mr. Bergman indicated that he still needs revised plans. Ms. Riley noted that they had fully revised plans, but when they went through the SEQRA process, they had to modify the grading. It is their intention to make the modifications and get it back to the Planning Department within two weeks. Mr. Carey asked Mr. Ehlers how they can get approved for clearing the trees to which Mr. Ehlers asked the applicants if they are okay with going through a two-step approval; the applicants are fine with that. Mr. Carey then addressed an easement upon crossing Edwards Avenue. He stated that their easement begins ten feet from the property line to which Mr. Kent responded that they had made the revision already. Mr. Carey asked if the other Planning Board members are okay with the two-step approval to allow for clearing prior to March 31st; all members present were in agreement. Mr. Ehlers asked if anything on Peconic Avenue needed to be cleared; it does not. Mr. Ehlers then confirmed with Mr. Kent that he has consent to clear; he does.

4. Klatt Minor Subdivision – Discussion of a minor subdivision application which seeks to reapprove a two lot minor subdivision originally approved by the Town of Riverhead Planning Board by resolution dated January 6, 1986. The two lots, identified as SCTM Nos. 600-91-3-6.2 and 600-91-3-6.3, which area located on Fourth Street, South Jamesport, within the Residence B-40 zoning use district, were inadvertently merged by the Town Assessor's office pursuant to the Town's merger statue as a result of estate planning by the applicant. (Greg Bergman)

Mr. Bergman explained that this is a two-lot minor subdivision that was approved in January of 1996. During the original approval, a letter was received from the Suffolk County Health Department stating that the project did not meet the density requirements and was exempt from their review. Through estate planning, both parcels were placed in Mary Klatt's name, and the parcels were inadvertently merged. The applicant is now seeking to have the original subdivision reapproved. Mr. Bergman stated that the conditions are the same, as are the metes and bounds. Mr. Charles Cuddy stepped forward to state that he is in support of the subdivision. Mr. Carey asked Mr. Ehlers if this is legal to which Mr. Ehlers confirmed that nothing has changed, and it is legal.

PUBLIC HEARINGS

None.

PUBLIC COMMENTS ON RESOLUTIONS

None.

RESOLUTIONS

1. Resolution No. 2018-012 – Final Site Plan Approval for Auto Zone Expansion – Resolution granting final approval of a site plan application to construct a 1,516 sq. ft. addition onto the eastern side of an existing 5,352 sq. ft. masonry building presently used as an automotive parts retail sales facility, along with lighting and landscaping improvements on a 1.102 acre parcel located at 1260 Old Country Road (CR58), Riverhead, on the northeast corner of the intersection of Old Country Road and Woodcrest Avenue within the Business Center (BC) zoning use district, with said parcel being more particularly describes as SCTM No. 600-122-1-22.1. (Greg Bergman)

Robert Switala, PE
c/o Bergmann Associates
2665 Corning Rd.
Horseheads, NY 14845

**Resolution No. 2018-012
Grants Final Site Plan Approval for Auto Zone Expansion
1260 Old Country Road (CR 58), Riverhead NY
SCTM #600-122-1-22.1**

Dear Mr. Switala:

The following resolution was duly adopted at a meeting of the Town of Riverhead Planning Board held on February 15, 2018:

WHEREAS, the Town of Riverhead Planning Board adopted resolution #2018-001, dated January 4, 2018, by which the Planning Board classified the application as a Type II action pursuant to SEQRA, and granted preliminary site plan approval for construction of a 1,516 sq. ft. addition onto the eastern side of an existing 5,352 sq. ft. masonry building presently being used as an automotive parts retail sales facility, along with lighting and landscaping improvements on a 1.102 acre parcel located within the Business Center (BC) zoning use district situated at 1260 Old Country Road (CR 58), with said parcel being more particularly described as SCTM No. 600-122-1-22.1; and

WHEREAS, the preliminary approval resolution included the following conditions:

1. That no site work shall begin nor shall Building Permits be issued until a Planning Board resolution granting Final Site Plan Approval is adopted and until all conditions of the Final Site Plan Approval Resolution are fulfilled.

2. That ten (10) sets of revised site plans must be submitted for review for Final Site Plan Approval and shall include the following revisions:
 - a. The proposed handicap accessible parking stalls shall be revised to comply with the 10 ft. by 20 ft. size requirements of the Town Code (the “no parking” access aisle can remain as 8 ft. by 20 ft.).
 - b. The site plan shall include a note that irrigation shall be provided to all landscaped areas.
 - c. The proposed lighting fixtures shall be revised to a fixture with a color temperature of 3,000° Kelvin or less.
 - d. The plan shall be revised to comply with comments from the August 17, 2017 letter from the Suffolk County Department of Public Works.
 - e. The plans shall be revised to show the access easement referenced in Liber D00012173, Page 373 of the Suffolk County Clerk.
 - f. The construction fence shall include gates that will not impede the access across the easement on the eastern portion of the subject property.

3. The balance of site plan fee, \$569.20 shall be submitted with the final site plan application; and

WHEREAS, the remainder of the site plan fee, as required by §301-305G(1), has been received by this department; and

WHEREAS, the applicant has made a submission for final site plan approval, which included a revised site plan, prepared and stamped by Robert Paul Switala, P.E., last dated January 2018, and a photometric lighting plan, prepared and stamped by Lewis A. Ellis, RA, last dated January 8, 2018; and

WHEREAS, the Planning Board has reviewed the aforementioned final site plan application, the SEQRA record to date, comments received at the public hearing, and other relevant planning and zoning information;

NOW, THEREFORE BE IT

RESOLVED, that the final site plan application, including a seven page final site plan, prepared and stamped by Robert Paul Switala, P.E., last dated January, 2018, which contains pages labeled C0.0 – Cover Sheet, D1.0 – Demolition and Erosion Control Plan, C1.0 – Site Plan, C1.1 – Grading and Drainage Plan, C1.2 – Handicap Ramps Layout and Grading Plan, C1.3 – Site Details, C1.4 Site Details, and a photometric lighting plan, prepared and stamped by Lewis A. Ellis, R.A., last dated January 8, 2018 is hereby approved by the Planning Board with the following conditions:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan.
2. That a covenant, in a form approved by the Town Attorney, containing all the limitations and provisions of these approvals contained in this resolution shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This

resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk.

3. That the form, design, location, and color of all signage shall be submitted for the sign permit procedure prior to being installed at the property (the site plan approval does not indicate approval of signage); that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Article XLVIII of the Riverhead Town Code shall be complied with, and that all tenants shall be apprised of said requirements as well as any restrictions imposed as a condition of the site plan approval granted herein.
4. That any outdoor lighting shall be installed pursuant to Article XLIX of the Riverhead Town Code and no lighting shall be adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways.
5. That the applicant is familiar with the Riverhead Town Code, Chapter 251, Article III, entitled, "Rubbish, Refuse, and Rank Vegetation," and Chapter 245, Article I, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That parking, paving, and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code.
7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code.
8. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis.
9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Auto Zone, Inc., Owner, hereby authorizes and consents to the Town of Riverhead to enter the premises at 1260 Old Country Road, Riverhead, New York to enforce said handicapped parking regulations.
10. That all new utilities shall be constructed underground.
11. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation.
12. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen.
13. The applicant must satisfy all requirements of the Building and Fire Code of New York State.

14. That the applicant shall be required to request, pay the applicable fees, and obtain all the necessary site inspections (including drainage improvements prior to backfill, grading and site improvements prior to the first lift of paving, and post-construction prior to the issuance of a certificate) as prescribed in §301-305F of the Code of the Town of Riverhead.
15. That no importation or exportation of materials will take place until a permit for such is obtained from the Town Board pursuant to §229-3A of the Riverhead Town Code.
16. That no Building Permit shall issue prior to approval by the Suffolk County Department of Health Services Office of Wastewater Management.
17. That no Building Permit shall be issued until the Chairman of the Planning Board signs a mylar copy of the plans, including a seven page revised final site plan and one page photometric lighting plan. Prior to the signature of the mylar, the following conditions shall be met:
 - i. The mylar plans shall not exceed the standard D size drawing (24" x 36").
 - ii. Six (6) sets of revised paper site plans and six (6) sets of paper floor plan and elevations (including the Planning Board Certification Box on each page) shall be submitted.
 - iii. Receipt of a digital copy of the 10-page revised final site plan in a common computer-aided design (CAD) file format, among them DGN, DXF, and DWG, and the digital CAD drawing shall be projected in the NAD 1983 State Plane New York Long island FIPS 3104 (feet) coordinate system.
 - iv. Covenants to the satisfaction of the Town Attorney are submitted and filed (as indicated under item #2).
 - v. The applicant receives a Fire Marshal construction permit.
18. That no Certificates of Occupancy shall be issued until:
 - i. Written confirmation has been received from the Suffolk County Department of Public Works that all requirements of the Suffolk County DPW Work Permit have been fulfilled.
 - ii. Applicable Water Key money is paid, as required by the Town of Riverhead Water District.
 - iii. The applicant receives the necessary approvals and pays any fees as required from the Riverhead Sewer District.
 - iv. The Planning Department has conducted a final site plan inspection.
19. As part of an application for final site inspection, the applicant shall submit six (6) signed and sealed as-built surveys, signed and sealed by a NYS Licensed Land Surveyor to the Planning Department pursuant to §301-303E of the Code of the Town of Riverhead.

AND BE IT FURTHER

RESOLVED, that pursuant to §301-303F of the Riverhead Town Code, this final approval shall be valid for 36 months from the date of approval with the possibility of one 12-month extension by the Planning Board, upon a request of the applicant in writing made at least 30 days prior to the expiration of the original thirty-six month period; and be it further

RESOLVED, that the Clerk of the Planning Board is hereby authorized to forward a copy of this resolution to Kevin Murphy, c/o/ Auto Zone, Inc., 123 South Front St., Memphis, TN 38103; the Riverhead Building Department; the Office of the Town Attorney; the Planning Board Attorney; and the Town Clerk; the Office of the Town Assessor; the Riverhead Water District; the Town Engineer; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

Very truly yours,

Stanley Carey
Planning Board Chairman

A motion was made by Mr. Nunnaro, seconded by Mr. O'Dea, that the aforementioned resolution be approved:

THE VOTE

BAIER absent O'DEA X YES ___ NO

NUNNARO X YES ___ NO DENSIESKI absent

CAREY X YES ___ NO

THIS RESOLUTION X WAS ___ WAS NOT
THEREFORE DULY ADOPTED

2. Resolution No. 2018-013 - Final Site Plan Approval for Twin Fork Beer Co. – Resolution granting final approval of a site plan application to construct a new 11,480 sq. ft. brewery with tasting room and related site improvements, including lighting, landscaping, as well as stormwater management systems on a vacant 2.097 acre parcel located at 807 Raynor Avenue, within the Industrial C (Ind C) zoning use district, with said parcel being particularly identified as SCTM #600-108-2-12. (Greg Bergman)

Peter Chekijian
ADPC Raynor LLC
PO Box 492
Riverhead, NY 11901

Resolution No. 2018-013
Grants Final Site Plan Approval for Twin Fork Brewery and Tasting Room
807 Raynor Avenue, Riverhead, NY
SCTM No. 600-108-2-12

Dear Mr. Chekijian:

The following resolution was duly adopted at a meeting of the Town of Riverhead Planning Board held on February 15, 2018:

WHEREAS, the Town of Riverhead Planning Board adopted resolution #2017-061, dated July 6, 2017, by which the Planning Board classified the action, assumed Lead Agency status for SEQRA review, issued a negative declaration pursuant to SEQRA, and granted preliminary site plan approval for construction of a new 11,480 sq. ft. brewery with accessory tasting room and related site improvements, including lighting, landscaping, and stormwater management systems on a 2.09 acre parcel located on Raynor Avenue within the Industrial C (Ind C) zoning use district, with said parcel being more particularly described as SCTM No. 600-108-2-12; and

WHEREAS, the preliminary resolution was granted with the following conditions:

4. That no site work shall begin nor shall Building Permits be issued until a Planning Board resolution granting Final Site Plan Approval is adopted and until all conditions of the Final Site Plan Approval Resolution are fulfilled.
5. That public hours of operation shall cease no later than 9 pm.
6. That no music shall be played outdoors, and that all regulations of the Noise Ordinance (Chapter 251, Article 1 of the Code of the Town of Riverhead) shall be adhered to by the owners of the property.
7. That no on-site food preparation shall take place.
8. Prior to final site plan approval, the applicants shall receive Town Engineer approval of a Stormwater Pollution Prevention Plan.
9. That ten (10) sets of revised site plans must be submitted for review for Final Site Plan Approval and shall include the following:
 - i. The site plan shall be revised to comply with all comments from the Town's Consulting Engineer.
 - ii. The site plan shall be revised to show adequate lighting fixtures at the westernmost parking stalls.
10. The balance of site plan fee, \$315.60, is submitted; and

WHEREAS, the total site plan review fee of \$2,800.00, as required by §301-305G(1), has been received by this department; and

WHEREAS, the applicant has made a submission for final site plan approval, which included a revised site plan prepared and stamped by Robert J. Gruber, RA, last dated August 14, 2017, and a revised lighting plan, prepared by Eric Perkins, LC, MIES, last dated September 7, 2017; and

WHEREAS, by letter dated December 5, 2017, the Town's Consulting Engineer had the following comments on the most recent site plan, dated August 14, 2017 and the most recent lighting plan, last dated September 7, 2017:

1. The site plan drawings and site lighting design details have been prepared in a manner that addresses a portion of our most recent comments dated September 6, 2017.
2. At this time, the following items remain and must be satisfactorily addressed prior to recommending engineering approval:
 - i. In connection with the proposed improvements within the Raynor Avenue right-of-way, which would require a highway work permit, the need to provide drainage within the roadway must be evaluated and reviewed with the Highway Superintendent.
 - ii. A Stormwater Pollution Prevention Plan (SWPPP) must be prepared for the project and permit coverage under the NYSDEC, SPDES General Permit; and

WHEREAS, in an email dated February 7, 2018, the Riverhead Highway Superintendent, after surveying the area, stated that if the applicant's contain their own stormwater runoff on their property, there would be no need for additional drainage structures within the Raynor Avenue right-of-way; and

WHEREAS, in an email dated January 26, 2018, D&B Engineers, the consulting engineering firm responsible for reviewing Stormwater Pollution Prevention Plans, had the following comments, which obviates the applicant from having to prepare a SWPPP at this time:

1. We have reviewed the most recent Self-Certifying Conditional Release Request for the proposed Twin Fork Beer Company development. Based on the information submitted, we agree with the project applicant that coverage under the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity is not required.
2. There are a couple of minor issues in the most recent document provided that do not comply with the Blue Book. However, these issues do not affect our determination; especially if Permit Coverage is not required and the project is not compelled to comply with the Standards.
3. Please note, however, that the Town has the authority to require a SWPPP for this project if it chooses. As you are aware, Chapter §275 of the Town Code requires a SWPPP for all land development and redevelopment activities in the Town that result in land disturbance of equal to or greater than one acre. The Town Code does not provide an exemption for construction activities that discharge/infiltrate to groundwater. Requiring a SQPPP for this project would be following the letter of the law. However, this is not the spirit of the law, which is intended to protect surface water resources in the Town.
4. Under all circumstances, it is a violation of the NYS Environmental Conservation Law for any discharge to either cause or contribute to a violation of water quality standards, such as:
 - i. There shall be no increase in turbidity that will cause a substantial visible contrast to natural conditions.

- ii. There shall be no increase in suspended, colloidal or settleable solids that will cause deposition or impair the waters for their best usages.
 - iii. There shall be no residue from oil and floating substances, nor visible oil film, nor globules of grease.
5. If there is evidence indicating that the stormwater discharges from this project are causing, have the reasonable potential to cause, or are contributing to a violation of the water quality standards, the Town or DEC may issue violations and/or require the owner/operator to prepare a SWPPP and obtain SPDES permit coverage at any time; and

WHEREAS, the Planning Board has reviewed the aforementioned final site plan. Now, therefore be it

RESOLVED, that the final site plan application, including a two page final site plan, prepared and stamped by Robert J. Gruber, RA, last dated August 14, 2017, which contains pages labeled SP-1: Site Plan and SP-2: Details; a photometric lighting plan, prepared by Eric Perkins, LC, MIES, dated September 7, 2017 and a floor plan and elevations, prepared and stamped by Paul John Clinton, RA, last dated January 17, 2017 is hereby approved by the Planning Board with the following conditions:

- 20. That the public hours of operation of the brewery and associated tasting room shall cease no later than 9pm.
- 21. That no music, live or amplified, shall be played in the outdoor areas of the site, and that all regulations of the noise Ordinance (Chapter 251, Article 1 of the Code of the Town of Riverhead) shall be adhered to by the Owners of the property.
- 22. That the provisions of the Riverhead Town Code, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan.
- 23. That a covenant, in a form approved by the Town Attorney, containing all the limitations and provisions of these approvals contained in this resolution shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk.
- 24. That the form, design, location, and color of all signage shall be submitted for the sign permit procedure prior to being installed at the property (the site plan approval does not indicate approval of signage); that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Article XLVIII of the Riverhead Town Code shall be complied with, and that all tenants shall be apprised of said requirements as well as any restrictions imposed as a condition of the site plan approval granted herein.
- 25. That any outdoor lighting shall be installed pursuant to Article XLIX of the Riverhead Town Code and no lighting shall be adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways.

26. That the applicant is familiar with the Riverhead Town Code, Chapter 251, Article III, entitled, "Rubbish, Refuse, and Rank Vegetation," and Chapter 245, Article I, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same.
27. That parking, paving, and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code.
28. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code.
29. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis.
30. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, ADPC Raynor, LLC, Owner, hereby authorizes and consents to the Town of Riverhead to enter the premises at 807 Raynor Avenue, Riverhead, New York to enforce said handicapped parking regulations.
31. That all new utilities shall be constructed underground.
32. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation.
33. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen.
34. The applicant must satisfy all requirements of the Building and Fire Code of New York State.
35. That the applicant shall be required to request, pay the applicable fees, and obtain all the necessary site inspections (including drainage improvements prior to backfill, grading and site improvements prior to the first lift of paving, and post-construction prior to the issuance of a certificate) as prescribed in §301-305F of the Code of the Town of Riverhead.
36. That no importation or exportation of materials will take place until a permit for such is obtained from the Town Board pursuant to §229-3A of the Riverhead Town Code.
37. That no work in Town of Riverhead right-of-way will take place without a permit from the Town of Riverhead Highway Department.
38. That no Building Permit shall issue prior to approval by the Suffolk County Department of Health Services Office of Wastewater Management.

39. That no Building Permit or shall be issued until the Chairman of the Planning Board signs a mylar copy of the plans, including a five page revised final site plan as well as floor plans and architectural drawings. Prior to the signature of the mylar, the following conditions shall be met:

- vi. The mylar plans shall not exceed the standard D size drawing (24" x 36").
- vii. Six (6) sets of revised paper site plans and six (6) sets of paper floor plan and elevations (including the Planning Board Certification Box on each page) shall be submitted.
- viii. Receipt of a digital copy of the 10-page revised final site plan in a common computer-aided design (CAD) file format, among them DGN, DXF, and DWG, and the digital CAD drawing shall be projected in the NAD 1983 State Plane New York Long island FIPS 3104 (feet) coordinate system.
- ix. Covenants to the satisfaction of the Town Attorney are submitted and filed (as indicated under item #2).
- x. Applicable Water Key money is paid, as required by the Town of Riverhead Water District.
- xi. The applicant receives the necessary permits and pays any fees as required from the Riverhead Sewer District.
- xii. The applicant receives a Fire Marshal construction permit.
- xiii. The applicant receives a Highway Work Permit from the Town of Riverhead Highway Department.

40. That no Certificates of Occupancy shall be issued until:

- v. The Fire Marshal is satisfied that all requirement regarding fire department access, water supply and distribution, and signage have been met.
- vi. Written confirmation has been received from the Town of Riverhead Highway Department that all requirements of the Town of Riverhead Highway Work Permit have been fulfilled.

41. As part of an application for final site inspection, the applicant shall submit six (6) signed and sealed as-built surveys, signed and sealed by a NYS Licensed Land Surveyor to the Planning Department pursuant to §301-303E of the Code of the Town of Riverhead.

AND BE IT FURTHER

RESOLVED, that pursuant to §301-303F of the Riverhead Town Code, this final approval shall be valid for 36 months from the date of approval with the possibility of one 12-month extension by the Planning Board, upon a request of the applicant in writing made at least 30 days prior to the expiration of the original thirty-six month period; and be it further

RESOLVED, that the Clerk of the Planning Board is hereby authorized to forward a copy of this resolution to Robert J. Gruber, RA, 476 Expressway Drive South, Medford, NY 11763; the Riverhead Building Department; the Office of the Town Attorney; the Planning Board Attorney; the Town Clerk; the Town Assessor's Office; the Riverhead Sewer District; the Riverhead Water District; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

Very truly yours,

Stanley Carey
Planning Board Chairman

A motion was made by Mr. O'Dea, seconded by Mr. Nunnaro, that the aforementioned resolution be approved:

THE VOTE

BAIER absent O'DEA X YES ___ NO

NUNNARO X YES ___ NO DENSIESKI absent

CAREY X YES ___ NO

THIS RESOLUTION X WAS ___ WAS NOT
THEREFORE DULY ADOPTED

3. Resolution No. 2018-014 – Minor Subdivision of Mary Klatt – Resolution to reapprove a two lot minor subdivision originally approved by the Town of Riverhead Planning Board by resolution dated January 6, 1986. The two lots, identified as SCTM Nos. 600-91-3-6.2 and 600-91-3-6.3, which area located on Fourth Street, South Jamesport, within the Residence B-40 zoning use district, were inadvertently merged by the Town Assessor's office pursuant to the Town's merger statue as a result of estate planning by the applicant. (Greg Bergman)

Peter S. Danowksi, Jr., Esq.
616 Roanoke Avenue
Riverhead, NY 11901

Resolution #2018-014
Reapproves Minor Subdivision of Mary Klatt
114 4th Street, South Jamesport, NY
SCTM Nos. 600-91-3-6.2 & 600-91-3-6.3

Dear Mr. Danowksi:

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on February 15, 2018:

WHEREAS, Peter S. Danowski, Jr., Esq., on behalf of Mary Klatt, did submit an application for a minor subdivision/unmerger of real property located at 114 4th Street, South Jamesport, New York, with said property more particularly described as SCTM Nos. 600-91-3-6.2 and 600-91-3-6.3; and

WHEREAS, the subject properties were originally subdivided by Riverhead Planning Board resolution dated January 6, 1986; and

WHEREAS, at the time of January 6, 1986 Planning Board approval, the Suffolk County Department of Health Services, by letter dated January 16, 1986, stated that the subdivision was acceptable under their current policies at that time; and

WHEREAS, in the time since the subdivision was originally approved, estate planning on behalf of the applicant took place, resulting in both parcels being placed in Mary Klatt's name; and

WHEREAS, as a result of the Town's merger statute, the two parcels were inadvertently merged; and

WHEREAS, in the time since the subdivision was originally approved, the conditions and situation regarding the subject property have remained the same; and

WHEREAS, due to the ministerial nature of the proposed minor subdivision/unmerger, a public hearing is not required; and

WHEREAS, the Riverhead Planning Board has considered the merits of the proposed minor subdivision with the SEQRA record created to date, the subdivision regulations of the Riverhead Town Code, and other relevant planning and zoning information. Now, therefore be it

RESOLVED, that based upon review of the Short Environmental Assessment From, the SEQR report, and its own analysis, the application for minor subdivision/lot line modification is determined to be a Type II Action pursuant to 6NYCRR (SEQRA), with no further environmental review required; and be it further

RESOLVED, that this Board finds that the map, entitled "Minor Subdivision: Mary Klatt, Lots 31-33 & p/o Lot 30, Great Meadows, Section 1," prepared and stamped by Thomas C. Wolpert, PE, and Howard W. Young, LS, last dated October 12, 2017, affecting parcels identified as SCTM Nos. 600-600-91-3-6.2 and 600-91-3-6.3 is, for all intents and purposes, the same subdivision map that was approved by the Riverhead Planning by Resolution dated January 6, 1986, and that no further application is required and that the approval granted on January 6, 1986 is still in effect and that the owner shall deed the lots into single and separate ownership within 6 months of the date on this resolution; and be it further

RESOLVED, that copies of this resolution be forwarded to Mary Klatt, 114 4th Street, PO Box 111, South Jamesport, NY 11970; the Town Assessor's Office; the Town Attorney's Office; the Building Department; the Riverhead Water District; and the Town Clerk of the Town of Riverhead; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

Very truly yours,

Planning Board
Stanley Carey
Chairman

A motion was made by Mr. Nunnaro, and seconded by Mr. O'Dea, that the aforementioned resolution be approved:

THE VOTE

BAIER absent O'DEA X YES ___ NO

NUNNARO X YES ___ NO DENSIESKI absent

CAREY X YES ___ NO

THIS RESOLUTION X WAS ___ WAS NOT
THEREFORE DULY ADOPTED

4. Resolution No. 2018-015 – Final Site Plan Approval for TSA Capital Gas Station Redevelopment
– Resolution granting final approval for a site plan for construction of a new fueling station consisting of four fuel pumps (eight fueling stations), a 2.628 sq. ft. fueling canopy, 165 sq. ft. attendant kios with restroom, air station, paving and drainage improvements, as well as landscaping and lighting improvements on a parcel situate at 841 Old Country Road, Riverhead, with said parcel being more particularly and currently described as SCTM No. 600-104-2-3.3 and located within the Business Center (BC) zoning use district. (Greg Bergman)

Christopher Kent, Esq.
c/o Farrel Fritz, P.C.
100 Motor Parkway, Suite 138
Hauppauge, NY 11788

Resolution No. 2018-015
Grants Final Site Plan Approval for TSA Capital Gas Station Redevelopment

**841 Old Country Road, Riverhead, NY
SCTM No. 600-104-2-3.3**

Dear Mr. Kent:

The following resolution was duly adopted at a meeting of the Town of Riverhead Planning Board held on February 15, 2018:

WHEREAS, the Town of Riverhead Planning Board adopted resolution #2017-108, dated November 2, 2017 by which the Planning Board assumed Lead Agency status, issued a negative declaration pursuant to SEQRA, and granted preliminary site plan approval for construction of a new fueling station consisting of four fuel pumps (eight fueling stations), a 2,628 sq. ft. fueling canopy, 165 sq. ft. attendant kios with restroom, air station, paving and drainage improvements, as well as landscaping and lighting improvements on a parcel situate at 841 Old Country Road, Riverhead, with said parcel being more particularly and currently described as SCTM No. 600-104-2-3.3; and

WHEREAS, the preliminary resolution was approved with the following conditions:

11. That no site work shall begin nor shall Building Permits be issued until a Planning Board resolution granting Final Site Plan Approval is adopted and until all conditions of the Final Site Plan Approval Resolution are fulfilled.
12. That ten (10) sets of revised site plans must be submitted for review for Final Site Plan Approval and shall include the following revisions:
 - b. The Planning Board certification box on each page of the Final Site Plan,
 - c. The site plan shall be revised to comply with all comments and requirements detailed in the October 27, 2017 letter from the Office of the Fire Marshal.
 - d. The site plan shall be revised to comply with all comments detailed in the November 2, 2017 letter from the Town's Consulting Engineer.
13. Prior to final site plan approval, a clean title report approved by the Town Attorney's office shall be submitted.
14. Prior to final site plan approval, a utility easement to the benefit of the Riverhead Sewer District, approved by the Riverhead Sewer District and acceptable to Counsel to the Planning Board, be executed and filed with the Suffolk County Clerk.
15. That the lot line modification, approved by Planning Board Resolution No. 2016-115, dated November 3, 2016, be fully executed and the mylar signed by the Chairman of the Planning Board.
16. The balance of site plan fee, \$841.10, is submitted; and

WHEREAS, the total site plan review fee of \$3,366.10, as required by §301-305G(1), has been received by this department; and

WHEREAS, all conditions of preliminary approval have been satisfied, except for condition No. 4; and

WHEREAS, the applicant has made a submission for final site plan approval, which included a revised site plan, last dated February 6, 2018, prepared and stamped by Kevin Walsh, PE, and Juan Carlos Vargas, RLA, which contains pages labeled C-1: Legend and General Notes, C-2: Layout and Materials Plan, C-3: Grading and Drainage Plan, C-4: Utility Plan, C-5: Erosion and Sediment Control, C-6: Site Details 1, C-7: Site Details 2, C-8: Boring Logs, C-9: Off-Site R.O.W. Details, C-10: Work Zone Traffic Control Plan, L-1: Planting Plan, and PH-1: Photometric Plan; and

WHEREAS, the Planning Board has reviewed the aforementioned final site plan application, the SEQRA record to date, comments received at the public hearing, and other relevant planning and zoning information. Now, therefore be it

RESOLVED, that the final site plan application, including a final site plan last dated February 6, 2018, prepared and stamped by Kevin Walsh, PE, and Juan Carlos Vargas, RLA, which contains pages labeled C-1: Legend and General Notes, C-2: Layout and Materials Plan, C-3: Grading and Drainage Plan, C-4: Utility Plan, C-5: Erosion and Sediment Control, C-6: Site Details 1, C-7: Site Details 2, C-8: Boring Logs, C-9: Off-Site R.O.W. Details, C-10: Work Zone Traffic Control Plan, L-1: Planting Plan, and PH-1: Photometric Plan is hereby approved by the Planning Board with the following conditions:

42. That the provisions of the Town Code, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan.
43. That a covenant, in a form approved by the Town Attorney, containing all the limitations and provisions of these approvals contained in this resolution shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk.
44. That the form, design, location, and color of all signage shall be submitted for the sign permit procedure prior to being installed at the property (the site plan approval does not indicate approval of signage); that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Article XLVIII of the Town Code shall be complied with, and that all tenants shall be apprised of said requirements as well as any restrictions imposed as a condition of the site plan approval granted herein.
45. That any outdoor lighting shall be installed pursuant to Article XLIX of the Town Code and no lighting shall be adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways.

46. That the applicant is familiar with the Town Code, Chapter 251, Article III, entitled, "Rubbish, Refuse, and Rank Vegetation," and Chapter 245, Article I, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
47. That parking, paving, and drainage shall be provided pursuant to specifications outlined in the Town Code.
48. That the parking area shall be maintained pursuant to specifications outlined in the Town Code
49. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis.
50. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document the Owner hereby authorizes and consents to the Town of Riverhead to enter the premises at 841 Old Country Road, Riverhead, New York to enforce said handicapped parking regulations.
51. That all new utilities shall be constructed underground.
52. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation.
53. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen.
54. The applicant must satisfy all requirements of the Building and Fire Code of New York State.
55. That the applicant shall be required to request, pay the applicable fees, and obtain all the necessary site inspections (including drainage improvements prior to backfill, grading and site improvements prior to the first lift of paving, and post-construction prior to the issuance of a certificate) as prescribed in §301-305F of the Town Code.
56. That no importation or exportation of materials will take place until a permit for such is obtained from the Town Board pursuant to §229-3A of the Town Code.
57. That no work in the Old Country Road (CR58) right-of-way will take place without a permit from the Suffolk County Department of Public Works.
58. That no work in Town of Riverhead right-of-way will take place without a permit from the Town of Riverhead Highway Department.
59. That no Building Permit shall issue prior to approval by the Suffolk County Department of Health Services Office of Wastewater Management.

60. That no Building Permit or shall be issued until the Chairman of the Planning Board signs a mylar copy of the plans, including a final site plan last dated February 6, 2018, prepared and stamped by Kevin Walsh, PE, and Juan Carlos Vargas, RLA, which contains pages labeled C-1: Legend and General Notes, C-2: Layout and Materials Plan, C-3: Grading and Drainage Plan, C-4: Utility Plan, C-5: Erosion and Sediment Control, C-6: Site Details 1, C-7: Site Details 2, C-8: Boring Logs, C-9: Off-Site R.O.W. Details, C-10: Work Zone Traffic Control Plan, L-1: Planting Plan, and PH-1: Photometric Plan. Prior to the signature of the mylar, the following conditions shall be met:

- xiv. A utility easement to the benefit of the Riverhead Sewer District, approved by the Riverhead Sewer District and acceptable to Counsel to the Planning Board, shall be executed and filed with the Suffolk County Clerk and with the Riverhead Town Clerk.
- xv. The mylar plans shall not exceed the standard D size drawing (24" x 36").
- xvi. Six sets of elevation drawings, including the Planning Board Certification Box on each page, shall be submitted.
- xvii. Receipt of a digital copy of the final site plan in a common computer-aided design (CAD) file format, among them DGN, DXF, and DWG, and the digital CAD drawing shall be projected in the NAD 1983 State Plane New York Long island FIPS 3104 (feet) coordinate system.
- xviii. Covenants to the satisfaction of the Town Attorney are submitted and filed (as indicated under item #2).
- xix. Any applicable Water Key money is paid, as required by the Town of Riverhead Water District.
- xx. The applicant receives the necessary permits and pays any fees as required from the Riverhead Sewer District.
- xxi. The applicant receives a Fire Marshal construction permit.
- xxii. The applicant receives a Highway Work Permit from the Town of Riverhead Highway Department.
- xxiii. The applicant receives a permit from the Suffolk County Department of Public Works for work within the Old Country Road (CR58) right-of-way

61. That no Certificates of Occupancy shall be issued until:

- vii. The Fire Marshal is satisfied that all requirement regarding fire department access, water supply and distribution, and signage have been met.

- viii. Written confirmation has been received from the Town of Riverhead Highway Department that all requirements of the Town of Riverhead Highway Work Permit have been fulfilled.
 - ix. Written confirmation has been received from the Suffolk County Department of Public Works that all requirement of the County Highway Work Permit have been fulfilled.
 - x. The applicant applies for and receives the necessary inspections, pursuant to §301-305F of the Town Code
62. As part of an application for final site inspection, the applicant shall submit six (6) signed and sealed as-built surveys, signed and sealed by a NYS Licensed Land Surveyor to the Planning Department pursuant to §301-303E of the Town Code.

AND BE IT FURTHER

RESOLVED, that pursuant to §301-303F of the Town Code, this final approval shall be valid for 36 months from the date of approval with the possibility of one 12-month extension by the Planning Board, upon a request of the applicant in writing made at least 30 days prior to the expiration of the original thirty-six month period; and be it further

RESOLVED, that the Clerk of the Planning Board is hereby authorized to forward a copy of this resolution to Kourus Torkan, c/o TSA Capital, 536 Middle Neck Road, Great Neck, NY 10023; Courtney Riley, c/o VHB Engineering, P.C., 100 Motor Parkway, Suite 135, Hauppauge, NY 11788; the Riverhead Building Department; the Office of the Town Attorney; the Planning Board Attorney; the Office of the Town Clerk; the Riverhead Sewer District; the Riverhead Water District; the Office of the Fire Marshal; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

Very truly yours,

Stanley Carey
Planning Board Chairman

A motion was made by Mr. O'Dea, seconded by Mr. Nunnaro, that the aforementioned resolution be approved:

THE VOTE

BAIER absent O'DEA X YES ___ NO

NUNNARO X YES NO DENSIESKI absent

CAREY X YES NO

THIS RESOLUTION X WAS WAS NOT
THEREFORE DULY ADOPTED

MEETING MINUTES OF THE BOARD

1. Minutes of the February 1, 2018 Planning Board Meeting

A motion was made by Mr. Nunnaro, seconded by Mr. O'Dea, that the minutes be approved:

THE VOTE

BAIER absent O'DEA X YES NO

NUNNARO X YES NO DENSIESKI absent

CAREY X YES NO

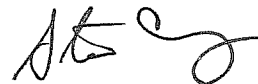
THESE MINUTES X WERE WERE NOT
THEREFORE DULY ADOPTED

EXECUTIVE SESSION

None.

Dated: 3/1/18

Signed,
PLANNING BOARD



Stanley Carey
Chairman